

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	8:12CR271
)	
Plaintiff,)	
)	
v.)	MEMORANDUM
)	AND ORDER
PAUL ROSBERG,)	
)	
Defendant.)	

This matter is before the court on Magistrate Judge Gossett's findings and recommendation. (Filing [30](#).) Liberally construed, defendant Paul Rosberg filed a statement of objections (filings [33](#), [34](#) and [35](#)) pursuant to [NECrimR 59.2](#) and [28 U.S.C. § 636\(b\)\(1\)](#). The magistrate recommends that Paul Rosberg's motion to dismiss the indictment and motion to have preliminary hearing "be dismissed, and any issue raised in the motion be deemed abandoned for violation of Local Rule of the United States District Court for the District of Nebraska 12.3(b)(1)." (Filing [30](#) at CM/ECF p. 2.) In addition, the magistrate recommends "denial of defendant's motion as it is without a basis in law and is frivolous." (*Id.* at CM/ECF pp. 2-3.)

I have conducted a de novo review of the record. I find that inasmuch as the magistrate judge has fully, carefully, and correctly found the facts and applied the law, the magistrate judge's findings and recommendation should be adopted and the defendant's motion to dismiss the indictment and motion to have preliminary hearing should be denied.

Accordingly,

IT IS ORDERED that:

1. The magistrate judge's findings and recommendation (filing [30](#)) is adopted.

2. Defendant Paul Rosberg's motion to dismiss the indictment and motion to have preliminary hearing (filing [24](#)) is denied in all respects.

DATED this 8th day of November, 2012.

BY THE COURT:

Richard G. Kopf

Senior United States District Judge

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